

FUTURE FISHERIES IMPROVEMENT PROGRAM

REVIEW PANEL MINUTES

SUMMER 2019

Date: June 13, 2019

Attendees: Bill Semmens, Bill Wichers, Chuck Dalby, Clint Peck, Dylan Yonce, Jim Stone, Michael Johns, Nancy Winslow (phone), Terry Chute, Bill Mytton

FWP staff: Michelle McGree, Eric Roberts

Applicants and others in attendance: Pedro Marques, Allison Russel, Pat Saffel, Molly Davidson, Jed Whiteley, Paul Parson, Ryen Neudecker, Jeff Dunn, Nate Kopp, Mike Ruggles, Chris Edgington, Jarrett Payne, Ladd Knotek

Panel business (before project review):

- The agenda was approved.
- FWP recommendations were presented, mostly without specific recommendation amounts.
- Michelle discussed strategies to fund projects, given the number of requests and limited funding. Discussed shifting away from screens and dams, but those projects don't have a lot of funding options and are key to the mission of the program.
- Michelle introduced a new partner in Montana's Outdoor Legacy Foundation (MOLF), looking to be an additional source of matching funds. Our process will continue as usual, but the MOLF may be interested in helping applicants outside of our scope.
- Program balances were reviewed. The funding available (unexpended and uncommitted) for the final cycle:
 - RIT \$ (native species): \$900,000
 - License \$ (General Future Fisheries Program): \$250,000
 - Grand Total \$ available: \$1,150,000*possible return funding from several approved projects

Panel business (after project review):

- Project balances were reviewed. Terry Chute was chosen as the panel representative for the prioritization. The prioritization committee will meet June 14, 2019.
- The decision was made to keep funding levels as recommended, and not change based on prioritization.
- The Fish & Wildlife Commission will meet in August 15, 2019 to finalize funding awards.
- Winter meeting date and location to be determined with follow-up email.

Application discussions and funding recommendations:

1) French Creek channel reconstruction (014-2019)

Amount Requested: \$79,932

FWP Recommendation: We support the project but recognize the applicant's ability to reduce costs to match available funding and the limitations in available funding. We recommend funding this project at **\$25,735**, for 50% of the streambed material and revegetation.

FWP Questions:

- Match/total cost discrepancies between budget sheet and application
- Confusion as to the project size (2700 or 4000 ft of channel?) *4000 feet; more area for wetlands*
- Lump sum used extensively making budget analysis difficult

Project Representative: Pedro Marques

Discussion Items:

- Presented design previously; now ready to go August 5 (contractor in place).
- Lumped contracting with California Gulch project to save costs. Loose items are oversight in staking, wetland cell construction. Partial funding would be taken out of wetlands and habitat and affect available match. BHWC would have to take over some of the oversight if that portion was reduced.
- Went with bidder that had lowest construction cost but higher in wetland construction. Discussion amongst group suggesting perhaps the contractor came in low for construction looking to make up cost with wetlands. Is there a way to keep contractor on bid for non-wetland construction? Seems like contractor is playing strategically here.
- Is the project area protected from grazing? Light grazing, fencing would keep them out. Moose is an issue.
- High runoff is possible but previous project fared well with high flows. Stream gaging present, beaver have moved in.
- Drone imaging may be used in the future.
- Are you regrading the old terrace? No, it's fill. Spoils are going on the terrace.
- Why TNC and WCS funding? WCS is for innovative climate adaptation projects and TNC has been a partner for a long time.
- There would be one more French Gulch project. California Gulch project is already funded.

Motion: Motion made to fund the project at \$40,000

Motion Made by: Bill Wichers

Motion Second by: Chuck Dalby

Panel Action: Approve (unanimous)

Amount Approved: **\$40,000**

2) Beaver Creek Upper Missouri channel reconstruction (012-2019)

Amount Requested: \$75,000

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

FWP Questions:

- If your focus is on connectivity, how does this specific project help reach that goal?
- Where will the beaver dam analogs be installed, and how would that impact spawning? *Planning to hold off for now.*
- What is the USFS in-kind match (salaries cannot be used)? *Wood*
- Can you cut back the use of type III wood matrix to save costs? *No, those are pools. May be able to cut cost of type II wood and re-evaluate those structures.*
- What is the plan for weeds and grazing? *Treating weeds, not planning on grazing*

Project Representative: Allison Russel

Discussion Items:

- Looking to improve spawning habitat, habitat complexity primarily for rainbow and brown trout. Focused on floodplain connectivity, sediment impairment, hydrologic processes.
- Discussed the role of the 1984 fire and the fire-related debris flows in incision.
- Why is Northwest Energy involved? They provide mitigation funds; may qualify for more.
- Discussed why reach 3 is constructed before reach 2 (upstream to downstream).
- Suggested caution in use of beaver dam analogs (BDAs); they may install them later but have taken them out of the initial design. Can cut costs associated with BDAs, wetland areas, hauling off wood materials (approx. \$5000).
- 319 funds not available without Watershed Restoration Plan.
- Campgrounds are staging areas.
- Fishing pressure in reach is restricted to summer (closed until June 15). Currently not a lot of pressure because it's lacking habitat.

1st Motion: Motion made to fund the project at \$20,000

Motion Made by: Bill Wichers

Motion Second by: None

Panel Action: no second; motion fails

2nd Motion: Motion made to fund the project at \$75,000

Motion Made by: Michael Johns

Motion Second by: Chuck Dalby

Concern that project isn't high enough priority. Is for a high priority fishery.

Panel Action: Motion passes (Y 7; N 2).

Amount Approved: \$75,000

3) Como Dam water regulation improvement (013-2019)

Amount Requested: \$150,000

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

Project Representative: Molly Davidson

Discussion Items:

- If valves fail in open position it is a safety/erosion issue; if they fail in the closed position it would stop streamflow in the Bitterroot and irrigation ditches.
- Does this increase the fishery benefit or maintain status quo? It addresses dam safety and dewatering/instream flow.
- Is this a hostage situation—fund or don't get 1400 ac-ft of water? No, but feels like it. Ask of \$150k is too much, what if you got 50%? Probably find funds.
- Why is there a 20% contingency? Because it hasn't been designed yet. Planning for 2021 construction but it takes 9 months to 1 year to get the valves. Completed in 2 months (fall).
- How long has it been leaking? 15 years or so.
- The budget contains lots of Lump Sum entries. How accurate is it? Difficult to assess budget, using other types of projects to estimate.
- Is the entire 1400 ac-ft loss attributable to FWP? No, it is a shared loss.
- How confident are you that this is the only thing that needs replacing? BOR engineer and valve specialists have all looked at it.
- Maintenance funds from FWP should be determined first before FFIP funding. Consider asking Daines, Gianforte, or FEMA for funding.
- Does insurance not cover this failure? No.
- Maintenance after installation is imperative and is an issue for many projects.
- Can you buy the valves first? No, want to do it all together.
- Conflict in processes; FFIP process is to see all details before funding. Their process is to get all the funding and then get the details.
- Why are angler groups not stepping up to fund? Would like to see support from them, which would be a good indicator of fishery benefit.

Motion: Motion made to table the project.

Motion Made by: Chuck Dalby

Motion Second by: Terry Chute

Panel Action: Motion passes (unanimous)

Amount Approved: \$ 0

4) Lolo Ditch fish screen (016-2019)

Amount Requested: \$70,000

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

Project Representative: Jed Whiteley, Ladd Knotek

Discussion Items:

- Clark Fork Coalition (CFC) is going to assume maintenance.
- Utah screen (80 cfs) is working very well.
- Lots of funders involved, will need to get more.
- Paddlewheel wasn't chosen due to moving parts and concern over safety.
- Is this a screen that works? The applicants have done due diligence in researching and considering these screens and many questions have been answered. Still an experimental screen but so far it looks promising.
- USFWS funding is secured verbally.

Motion: Motion made to fully fund the project.

Motion Made by: Bill Wichers

Motion Second by: Michael Johns

Panel Action: Motion passes (unanimous)

Amount Approved: \$70,000

5) **West Fork Bitterroot Wilson Ditch fish screen (023-2019)**

Amount Requested: \$30,630

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

FWP Questions:

- What happens in the case of a breach of contract? The attached documentation wasn't clear.

Project Representative: Paul Parson (on behalf of Christine Brissette)

Discussion Items:

- What stops re-silting? Sluice gate was added to the design.
- Is the match \$50k? No, 50%.
- Is there entrainment? Reactivating ditch so assumed based on redds.
- Are there other fish present? Westslope cutthroat, few brook trout. Screen wouldn't be a barrier.
- USFWS consult is completed.
- Would reduced funding amount preclude 2019 install? Yes.

Motion: Motion made to fully fund the project.

Motion Made by: Bill Wichers

Motion Second by: Dylan Yonce

Panel Action: Motion passes (unanimous)

Amount Approved: \$ 30,630

6) Miller Creek restoration & sediment reduction (017-2019)

Amount Requested: \$28,400

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

FWP Questions:

- Are adjacent landowners and the County okay with beaver presence? *Beaver disappeared in area, not sure why. USFS is ok with beaver. Not sure about downstream landowners.*
- Fencing appears to be close to the streambank. Can you provide information on the buffer proposed? (an area map would be helpful in addition to reach information) *No grazing, wouldn't work with passive restoration.*
- Is there a possibility to use lighter engineering? Transplants? Basic land use changes and fencing? *Will not graze; will use fencing for elk on property.*
- Please discuss the use of aggradation structures vs. creation or maintenance of spawning habitat.
- What does \$66,800 in "grading and structures" refer to?

Project Representative: Jed Whiteley, Ladd Knotek

Discussion Items:

- Highest private landowner (conservation easement with Rocky Mountain Elk Foundation; RMEF). Of the 7 mile reach, 5 miles have design/ideas for more work. Probably 6 phases, 5 years of work.
- Public access is on USFS above the project. Downstream area has some access, but somewhat hammered. Public fishing is not allowed on the property.
- Doing wood treatment instead of beaver dam analogs (BDAs); that will be better for habitat, spawning. Considered good water temperatures.
- Pure cutthroat trout up high, dewater downstream. Will probably secure the upper tributary with barriers in the future. Allowing for outmigration at high water.
- May consider approaching RMEF for additional funding.

Motion: Motion made to fully fund the project.

Motion Made by: Bill Mytton

Motion Second by: Dylan Yonce

Panel Action: Motion passes (Y 8; N 1).

Amount Approved: \$28,400

7) Morrell Creek decommissioning & revegetation (018-2019)

Amount Requested: \$60,095

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

Project Representative: Ryen Neudecker

Discussion Items:

- Bull trout, westslope cutthroat trout spawning area. Important and priority for the region.
- Will build the new road, then decommission the old one.
- Will build a bankfull bench, riparian area for shading, etc.
- Area has low productivity, lots of young trout.
- Road is entirely a USFS road. USFS isn't paying for entire project as it is a partnership and private leverage is needed.
- Two sources of match because trying to get project going as soon as possible.
- Timeline is 2019 or 2020 construction; will need to follow the fisheries window.

Motion: Motion made to fully fund the project.

Motion Made by: Terry Chute

Motion Second by: Bill Wichers

Panel Action: Motion passes (unanimous)

Amount Approved: \$60,095

8) Nevada Creek phase 3B restoration (020-2019)

Amount Requested: \$62,000

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

FWP Questions:

- Please clarify what areas are 3A and 3B on the design sheets.
- Is there more work needed downstream, or is this the end?
- Is there an opportunity to cut back on engineering / cost savings?
- Is the design improved based on construction of earlier phases?

Project Representative: Ryen Neudecker

Discussion Items:

- Is this phase further from the highway? No, still adjacent. Will build in active floodplain along highway, in other places will activate old channel.
- Is there grazing? The stream will be fenced with electric and stock tanks. There will be an enclosure until vegetation grows, then they will use short term grazing.

Motion: Motion made to fully fund the project.

Motion Made by: Clint Peck

Motion Second by: Chuck Dalby

Panel Action: Motion passes (unanimous)

Amount Approved: \$62,000

9) **Reese Creek instream flow supplement (021-2019)**

Amount Requested: \$90,000

FWP Recommendation: Due to the high number of requests, we support the project but recommend funding 50% of the shortfall, with determination of the specific level of funding during Panel discussion and prioritization.

Questions:

- Please confirm that seepage loss is not desired for groundwater recharge or return flow. *Return seepage is going to the Yellowstone River, not Reese Creek.*
- Please describe the screen installation. Who owns the property, and who will be maintaining the coanda? *Park owns the ground. Church Universal and Triumphant (CUT) is involved with maintenance, as well as the Park and TU (maintenance responsibility unclear).*

Project Representative: Jeff Dunn

Discussion Items:

- The lease is taken care of, this would be for the pipeline.
- Going to 125 acres. How much hay would they get to pay for that? Not sure.
- Downside of not funding? Lower water, recruitment to the river.
- Why is there a need for additional funding? The engineers estimate differed from the bid. Tough area to get work for an affordable price. Got bids in October/November timeframe.
- Is there documented entrainment? There is no data, but lower tech screens have been used.
- Lining vs. piping? The cost was similar between methods.
- What if they decide they aren't going to use the pipeline? Can NRCS/EQIP cost share? Is infrastructure the irrigators responsibility? They aren't an organized unit.
- Water rights are completed and signed. Wouldn't be paying for water, paying for infrastructure.
- Is \$145k an appropriate amount to cost share? What is the value:cost?
- Stream is important to the Yellowstone.

1st Motion: Motion made to fund the project at \$45,000.

Motion Made by: Chuck Dalby

Motion Second by: Michael Johns

Panel Action: Motion denied (Y 4; N 5).

2nd Motion: Motion made to not fund the project.

Motion Made by: Bill Mytton

Motion Second by: Terry Chute

Panel Action: Motion denied (Y 4; N 5).

3rd Motion: Motion made to fund the project at \$20,000.

Motion Made by: Bill Wichers

Motion Second by: Chuck Dalby

Panel Action: Motion approved (Y 6; N 3).

Amount Approved: \$20,000

10) Sevenmile Creek restoration phase 2 (022-2019)

Amount Requested: \$69,000

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

Project Representative: Nate Kopp (+ engineer on phone)

Discussion Items:

- Will be managing for public access. May restrict dogs or time of year. Probably wait to restoration is complete to allow public access.
- Most funding is secured. Plan to construct next year. This is the final phase.
- Cost savings are that soil is already on site. Could delay post-restoration vegetation and weed management. Confident that design is good based on previous work.
- Are we funding passage twice? The passage issue was resolved before, this is making it better long term.
- Flow is typically between 8-10 cfs. Stream has decent numbers of brook trout, brown trout. In Reach 4 the habitat is very bad. The stream feeds into Prickly Pear. Passage is getting better and Lake Helena fish do move into tributaries in spring or fall in a good water year.
- Sheet 7.16 has a typo (inches, not feet).
- Partial funding would mean they work with Confluence to reduce scope and keep looking for funding. Probably delay the project.
- Water rights is unlikely to change.
- Administration is Prickly Pear Land Trust construction oversight.
- Grazing may be reintroduced someday, but not in riparian area.

1st Motion: Motion made to fund the project at \$20,000.

Motion Made by: Bill Wichers

Motion Second by: none (motion fails).

2nd Motion: Motion made to fund the project at \$50,000.

Motion Made by: Clint Peck

Motion Second by: Chuck Dalby

Discussion: Close to town, accessible for kids to fish. Ask applicant to explore other options, come back in December.

Panel Action: Motion Passes (Y 7; N 2).

Amount Approved: \$50,000

11) Haughian Bass Reservoir spillway repair (015-2019)

Amount Requested: \$4,100

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

Questions:

- What is the angler use on the reservoir?
 - *Angler use is relatively low in the context of statewide angler survey information – it does not show up in the last two years of surveys. Angler use is relatively high when comparing private ponds in Eastern Montana. I would place it as number 2 for private pond use of warm water species ponds in region 7.*
- Please describe the contribution of pike, perch, and non-stocked fish to the fishery. What is the level of natural reproduction occurring at the reservoir?
 - *All fish species naturally spawn and recruit to the fishery annually. In terms of fish densities, from high to low, yellow perch are the dominate species, followed by largemouth bass, northern pike and smallmouth bass. Yellow perch serve as forage for the other species but also provide respectable catch rates and enough larger sized fish to interest anglers. Summer anglers generally target the largemouth bass and larger sized pike and perch, winter anglers target the yellow perch and pike. Pike frequently reach 12-18 pounds, which is above the average size for prairie ponds. Stocking of bass has occurred following documentation of partial winterkills.*

Project Representative: None (Mike Ruggles answered some questions)

Discussion Items:

- Pikemasters, Walleyes Unlimited may be able to help fund the project. Groups supporting angling would be good to ask.
- \$4100 is not a lot of money. Excavator/mobilization should cost much more than this.
- Why is the budget so low? The landowner is doing the work most likely.
- Would be nice to have more match (is landowner work not included?)

Motion: Motion made to fully fund the project.

Motion Made by: Clint Peck

Motion Second by: Chuck Dalby

Panel Action: Motion passes (Y 5; N 4).

Amount Approved: \$4,100

12) Musselshell River McCleary channel restoration (019-2019)

Amount Requested: \$80,000

FWP Recommendation: Due to the high number of requests, we support the project but recommend determining the level of funding during Panel discussion and prioritization.

Questions:

- Please address the downstream avulsion. Has it been addressed as well?
- How much floodplain access will be added as a result of this project?

- There appears to be a discrepancy between the budget sheet and the narrative budget

Project Representative: Mike Ruggles

Discussion Items:

- Comfortable without oversight due to installer, partners involved.
- Did it avulse after 2011? No, not in 2018.
- It's a dynamic system, thoughts on maintaining over time? Hope to install so it does maintain over time. Most people don't do work because they know it may change.
- Is the Harvey Road avulsion repaired? Downstream avulsion has not been fixed.
- Regarding fish passage, there are no diversions between here and Fort Peck. Sauger are present, and eDNA has picked them up all the way to Roundup. Angler reports are good.
- If the project was funded at a lower level, \$70,000 is the breaking point where he will move the pump site and not reactivate the oxbow.
- Landowner allows fishing by permission, but most people just come. Typically bank fishing.
- Does contain important fish species, including sauger, drum, sucker, catfish, and smallmouth bass.

Motion: Motion made to fund the project at \$70,000.

Motion Made by: Chuck Dalby

Motion Second by: Clint Peck

Panel Action: Motion passes (unanimous)

Amount Approved: \$70,000